

### **REMARKS/ARGUMENTS**

This case has been carefully reviewed and analyzed, and reconsideration and favorable action is respectfully requested.

#### **CLAIM REJECTION UNDER 35 U.S.C. 102(b)**

Claims 1, 2, 5, 6-9 and 13 were originally rejected under 35 U.S.C. 102(b) as being anticipated by Hsieh (5,865,074).

In addition, claims 1, 2, 4, 6, 8-10 and 13 were originally rejected under 35 U.S.C. 102(b) as being anticipated by Tanner (5,983,758).

#### **CLAIM REJECTION UNDER 35 U.S.C. 103(a)**

Claims 1, 2, 4-9, 11 and 12 were originally rejected under 35 U.S.C. 103(a) as being unpatentable over White (5,307,713).

In addition, claim 3 was originally rejected under 35 U.S.C. 103(a) as being unpatentable over Hsieh, Tanner or White, in view of Vogel (6,082,227).

Responsive to this, claim 1 is amended so as to make the claimed invention more distinguishably patentable over the prior art references cited by the Examiner. Applicant also submits the following comments.

The claimed invention discloses “a wrench, comprising a handle portion having an end formed with a driving head, wherein:

the driving head of the handle portion has a peripheral wall provided with a plurality of protruding resting portions and a plurality of concave portions connected between the resting portions;

the peripheral wall of the driving head of the handle portion is provided with three protruding portions each mounted in an end of one of the concave portions;

the driving head is mounted on a nut;

the resting portions of the driving head are rested on six faces of the nut;

the three protruding portions have different colors and have larger spaced distance so as to facilitate a user identifying if the nut passes through the driving head or is stopped by the three protruding portions of the driving head” as disclosed in the amended claim 1.

In comparison, none of the Hsieh, Tanner, White and Vogel references teaches “the three protruding portions have different colors and have larger spaced distance so as to facilitate a user identifying if the nut passes through the driving head or is stopped by the three protruding portions of the driving head” as disclosed in the amended claim 1 of the claimed invention.

In addition, none of the Hsieh, Tanner, White and Vogel references teaches “each of the resting portions of the driving head has an arc-shaped shape, and each of the concave portions of the driving head has an arc-shaped shape” as disclosed in the amended claim 5 of the claimed invention.

Further, none of the Hsieh, Tanner, White and Vogel references teaches “the three protruding portions of the driving head are equally spaced from each other to form an equilateral triangle” as disclosed in the amended claim 6 of the claimed invention.

Further, none of the Hsieh, Tanner, White and Vogel references teaches “a linear gap is formed between each of the three protruding portions and the respective concave portion” as disclosed in the amended claim 7 of the claimed invention.

Further, none of the Hsieh, Tanner, White and Vogel references teaches “the driving head is a substantially C-shaped opened driving head” as disclosed in the amended claim 12 of the claimed invention.

Further, none of the Hsieh, Tanner, White and Vogel references teaches “the driving head is provided with twelve resting portions and twelve respective concave portions, and each of the three protruding portions is equally located between four respective concave portions” as disclosed in the new added claim 14 of the claimed invention.

Further, none of the Hsieh, Tanner, White and Vogel references teaches “the three protruding portions form a triangular shape” as disclosed in the new added claim 15 of the claimed invention.

Therefore, from the above mentioned descriptions, it is apparent that the claimed invention has disclosed a wrench whose structure and function are quite different from and patentably distinguishable over that of the Hsieh, Tanner or White reference. It is believed that the Hsieh, Tanner or White reference, whether taken alone or in combination with the Vogel reference, does not provide the elements and objectives as are disclosed in the claimed invention, and cannot render obvious the claimed invention.

Accordingly, for all of the above-mentioned reasons, it is believed that the

rejections under 35 U.S.C. 102(b) and 103(a) should be withdrawn, and the claims should be allowable.

In view of the foregoing amendments and remarks, Applicant submits that the application is now in a condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chih-Ching Hsien', is written over a horizontal line.

Applicant

Chih-Ching Hsien

58, MA YUAN WEST ST.,

TAICHUNG, TAIWAN

Sept. 24, 2004